

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

3 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Kpannah T. Kporlor-Smart**

Case No.: **18-17620**

Judge: _____

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS - AMENDED

☐ Original

☒ Modified/Notice Required

Date: _____

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney kf Initial Debtor: KTK Initial Co-Debtor _____

Part 1: Payment and Length of Plan

- a. The debtor shall pay 240.00 Monthly* to the Chapter 13 Trustee, starting on May 1, 2018 for approximately 36 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
 - ☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property
Description:
Proposed date for completion: _____
 - ☐ Refinance of real property:
Description:
Proposed date for completion: _____
 - ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

- a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Kevin Fayette, Esquire KF1039	Attorney Fees	2,500.00

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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Baxter Financial	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	3,626.00	193,500.00	M & T Bank - 310,434.00 Midland Funding - 570.00	No value	N/A	0.00
LVNV Fudning, LLC	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	645.00	193,500.00	M & T Bank - 310,434.00 Midland Funding - 570.00 Baxter Financial - 3,626.00	No value	N/A	0.00
Midland Funding	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	570.00	193,500.00	M & T Bank - 310,434.00	No value	N/A	0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Creditor
M & T Bank

g. Secured Claims to be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$___ to be distributed *pro rata*

☐ Not less than ___ percent

☒ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☐ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).** ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. **Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** ☐ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
Baxter Financial	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	3,626.00	193,500.00	M & T Bank - 310,434.00 Midland Funding - 570.00	-117,504.00	3,626.00
LVNV Fudning, LLC	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	645.00	193,500.00	M & T Bank - 310,434.00 Midland Funding - 570.00	-121,130.00	645.00
Midland Funding	1602 9th Street Ewing, NJ 08638 Mercer County BPO lists value at \$215,000.00 \$215,000.00 - 10% c.o.s. = \$193,500.00	570.00	193,500.00	Baxter Financial - 3,626.00 M & T Bank - 310,434.00	-116,934.00	570.00

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 4/17/18.

Explain below **why** the plan is being modified:

Debtor has received court order for Loan Modification

Explain below **how** the plan is being modified:

Debtor has received court order for Loan Modification

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$240.00 per month for 13 months, then \$275.00 per month for 23 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: May 20, 2019

/s/ Kpannah T. Kporlor-Smart

Kpannah T. Kporlor-Smart

Debtor

Date: _____

Joint Debtor

Date: May 20, 2019

/s/ Kevin Fayette, Esquire KF1039

Kevin Fayette, Esquire KF1039

Attorney for the Debtor(s)

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Kpannah T. Kporlor-Smart
 Debtor

Case No. 18-17620-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 32

Date Rcvd: May 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 23, 2019.

db +Kpannah T. Kporlor-Smart, 1602 9th Street, Ewing, NJ 08638-3016
 cr +Deville Asset Management, LTD, PO Box 1987, Colleyville, TX 76034-1987
 517459311 +Aarons Sales & Lease, Attn: Bankruptcy, PO Box 100039, Kennesaw, GA 30156-9239
 517459313 +Amex, Correspondence, PO Box 981540, El Paso, TX 79998-1540
 517459315 ++CAINE & WEINER COMPANY, 12005 FORD ROAD 300, DALLAS TX 75234-7262
 (address filed with court: Caine & Weiner, Attn: Bankruptcy, PO Box 5010,
 Woodland Hills, CA 91365)
 517459317 +Credit Acceptance, 25505 West 12 Mile Rd, Suite 3000, Southfield, MI 48034-8331
 517559529 +Credit Union of New Jersey, c/o Peter J. Liska, LLC, 766 Shrewsbury Ave.,
 Tinton Falls, NJ 07724-3001
 517459322 +Cu Of Nj, PO Box 7921, Ewing, NJ 08628-0921
 517523629 #+Deville Asset Mgmt, 1132 Glade Rd., Colleyville, TX 76034-4227
 517459323 +Deville Mgmt, Attn: Bankruptcy, PO Box 1987, Colleyville, TX 76034-1987
 517459324 +Jared/Sterling Jewelers, Attn: Bankruptcy, PO Box 3680, Akron, OH 44309-3680
 517459331 +Quality Asset Recovery, Attn: Bankruptcy, PO Box 239, Gibbsboro, NJ 08026-0239
 517459337 +Santander Consumer USA, PO Box 961245, Ft Worth, TX 76161-0244
 517459338 +The Bureaus Inc, 650 Dundee Rd, Suite 370, Northbrook, IL 60062-2757
 517527925 +The Bureaus, Inc., c/o of PRA Receivables Management, LLC, PO Box 41021,
 Norfolk, VA 23541-1021

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov May 21 2019 23:57:58 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregrion03.ne.ecf@usdoj.gov May 21 2019 23:57:57 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517459314 +E-mail/Text: legal@blirentals.com May 21 2019 23:57:30 BLI Rentals, PO Box 992,
 Emporia, KS 66801-0992
 517532861 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 22 2019 00:00:27
 Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC,
 PO Box 41021, Norfolk VA 23541-1021
 517465705 +E-mail/PDF: acg.acg.ebn@americaninfosource.com May 21 2019 23:59:54
 Capital One Auto Finance, a division of Capital On, AIS Portfolio Services, LP,
 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
 517459316 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 21 2019 23:57:42
 Comenity Bank/Ashley Stewart, Attn: Bankruptcy Dept, PO Box 182125,
 Columbus, OH 43218-2125
 517459319 +E-mail/Text: bankruptcy_notifications@ccsusa.com May 21 2019 23:58:39
 Credit Collections Services, Attention: Bankruptcy, 725 Canton Street,
 Norwood, MA 02062-2679
 517459320 +E-mail/PDF: creditonebknofications@resurgent.com May 21 2019 23:59:59 Credit One Bank,
 Attn: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873
 517459321 +E-mail/Text: bankruptcy@cunj.org May 21 2019 23:57:50 Credit Union Of New Je, PO Box 7921,
 Ewing, NJ 08628-0921
 517459326 E-mail/Text: camanagement@mtb.com May 21 2019 23:57:36 M & T Bank, Attn: Bankruptcy,
 PO Box 844, Buffalo, NY 14240
 517609309 E-mail/Text: camanagement@mtb.com May 21 2019 23:57:36 M&T Bank, P.O. Box 840,
 Buffalo, NY 14240
 517459327 +E-mail/Text: bankruptcydpt@mcmcg.com May 21 2019 23:57:56 Midland Funding,
 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 517543484 +E-mail/Text: bankruptcydpt@mcmcg.com May 21 2019 23:57:56 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 517459329 +E-mail/Text: bankruptcy@onlineis.com May 21 2019 23:58:24 Online Collections, PO Box 1489,
 Winterville, NC 28590-1489
 517597686 E-mail/Text: bnc-quantum@quantum3group.com May 21 2019 23:57:52
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 517459336 +E-mail/Text: rwjebn@rwjbh.org May 21 2019 23:58:41 Robert Wood Johnson,
 One Robert Wood Johnson Place, New Brunswick, NJ 08901-1966
 517479584 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM May 22 2019 00:01:06 T Mobile/T-Mobile USA Inc,
 by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517459312* +Aarons Sales & Lease, Attn: Bankruptcy, PO Box 100039, Kennesaw, GA 30156-9239
 517459318* +Credit Acceptance, 25505 West 12 Mile Rd, Suite 3000, Southfield, MI 48034-8331
 517459325* +Jared/Sterling Jewelers, Attn: Bankruptcy, PO Box 3680, Akron, OH 44309-3680
 517459330* +Online Collections, PO Box 1489, Winterville, NC 28590-1489
 517459332* +Quality Asset Recovery, Attn: Bankruptcy, PO Box 239, Gibbsboro, NJ 08026-0239
 517459333* +Quality Asset Recovery, Attn: Bankruptcy, PO Box 239, Gibbsboro, NJ 08026-0239
 517459334* +Quality Asset Recovery, Attn: Bankruptcy, PO Box 239, Gibbsboro, NJ 08026-0239
 517459335* +Quality Asset Recovery, Attn: Bankruptcy, PO Box 239, Gibbsboro, NJ 08026-0239

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 32

Date Rcvd: May 21, 2019

517459328 ##+New Jersey Advanced Surgical Solutions, 1374 Whitehorse Hamilton Square Road, Suite 304,
Hamilton, NJ 08690-3701

TOTALS: 0, * 8, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 23, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on May 21, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin C. Fayette on behalf of Debtor Kpannah T. Kporlor-Smart kfayette@kevinfayette.com
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6